

#GP1764

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Attorney Docket  
No.37,248-01

In re Application of: William H Gong et. al.

Application No.: 09/779,283

Filed: 02/08/2001

For: INTEGRATED PREPARATION OF BLENDING  
COMPONENTS FOR REFINERY TRANSPORTATION FUELS

#5 RECEIVED  
DEC 31 2002  
TC 1700

The owner, BP AMOCO CORPORATION, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/779,286, filed on 02/08/2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

12/30/2002 JBALINAH 00000123 09779283

01 FC:1814

110.00 OP

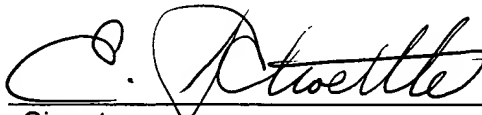
Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation partnership, university, government agency, etc.) the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

12/19/02  
Date

  
Signature  
Ekkehard Schoettle/  
No. 31,420  
Attorney's Name/Registration No.

**BP Amoco Corporation  
Docket Clerk, Law Department  
Mail Code 2207A  
200 E. Randolph Drive  
Chicago, Illinois 60601-7125**

☒ Terminal Disclaimer fee under 37 CFR 1.20(d) is included.

☐ PTO suggested wording for terminal disclaimer was:

☒ unchanged

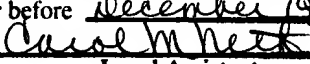
☐ changed

(if changed, an explanation should be supplied).

**ANY ADDITIONAL FEES REQUIRED  
CHARGE TO DEPOSIT ACCOUNT  
NO. 01-0528**

**Certificate of Mailing**

I hereby do certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on or before December 19, 2002

  
Legal Assistant

Date: 12-19-2002